

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:03-CR-29
	)	(VARLAN/SHIRLEY)
MAURICE E. HUGHLEY,	)	
	)	
Defendant.	)	

**ORDER**

This criminal case is before the Court for consideration of the Report and Recommendation entered by United States Magistrate Judge C. Clifford Shirley, Jr., on January 27, 2012 (the "R&R") [Doc. 443]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Fed. R. Crim. P. 51. In the R&R, Magistrate Judge Shirley recommends that the defendant's motion to appeal the district court's denial of his motion for writ of habeas corpus ad subjiciendum [Doc. 441] be denied.

After a careful review of the R&R, the Court is in agreement with Magistrate Judge Shirley's recommendation, which the Court hereby adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 443], and the defendant's

motion to appeal the district court's denial of his motion for writ of habeas corpus ad subjiciendum [Doc. 441] is **DENIED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE